

**TITLE 20 ENVIRONMENTAL PROTECTION**  
**CHAPTER 2 AIR QUALITY (STATEWIDE)**  
**PART 8 EMISSIONS LEAVING NEW MEXICO**

**20.2.8.1 ISSUING AGENCY:** Environmental Improvement Board.  
[11/30/95; 20.2.8.1 NMAC - Rn, 20 NMAC 2.8.100 10/31/02]

**20.2.8.2 SCOPE:** All geographic areas within the jurisdiction of the Environmental Improvement Board.  
[11/30/95; 20.2.8.2 NMAC - Rn, 20 NMAC 2.8.101 10/31/02]

**20.2.8.3 STATUTORY AUTHORITY:** Environmental Improvement Act, NMSA 1978, section 74-1-8(A)(4) and (7), and Air Quality Control Act, NMSA 1978, sections 74-2-1 et seq., including specifically, section 74-2-5(A), (B) and (C).  
[11/30/95; 20.2.8.3 NMAC - Rn, 20 NMAC 2.8.102 10/31/02]

**20.2.8.4 DURATION:** Permanent.  
[11/30/95; 20.2.8.4 NMAC - Rn, 20 NMAC 2.8.103 10/31/02]

**20.2.8.5 EFFECTIVE DATE:** November 30, 1995.  
[11/30/95; 20.2.8.5 NMAC - Rn, 20 NMAC 2.8.104 10/31/02]  
[The latest effective date of any section in this Part is 10/31/02.]

**20.2.8.6 OBJECTIVE:** The objective of this Part is to establish requirements for emissions leaving New Mexico.  
[11/30/95; 20.2.8.6 NMAC - Rn, 20 NMAC 2.8.105 10/31/02]

**20.2.8.7 DEFINITIONS:** In addition to the terms defined in 20.2.2 NMAC (Definitions), as used in this Part: "Part" means an air quality control regulation under Title 20, Chapter 2 of the New Mexico Administrative Code, unless otherwise noted; as adopted or amended by the Board.  
[11/30/95; 20.2.8.7 NMAC - Rn, 20 NMAC 2.8.107 10/31/02]

**20.2.8.8 AMENDMENT AND SUPERSESSION OF PRIOR REGULATIONS:** This Part amends and supersedes Air Quality Control Regulation ("AQCR") 901 - To Control Emissions Leaving New Mexico, last filed January 27, 1970.  
**A.** All references to AQCR 901 in any other rule shall be construed as a reference to this Part.  
**B.** The amendment and supersession of AQCR 901 shall not affect any administrative or judicial enforcement action pending on the effective date of such amendment nor the validity of any permit issued pursuant to AQCR 901.  
[11/30/95; 20.2.8.8 NMAC - Rn, 20 NMAC 2.8.106 10/31/02]

**20.2.8.9 to 20.2.8.107 [RESERVED]**

**20.2.8.108 REQUIREMENTS:** When emissions generated from sources in New Mexico cross the state boundary line, such emissions shall not exceed the standards and regulations of the receiving state, provided, regulations are in effect and reciprocal action is taken by the receiving state.  
[11/30/95; 20.2.8.108 NMAC - Rn, 20 NMAC 2.8.108 10/31/02]

**HISTORY OF 20.2.8 NMAC:**

**Pre-NMAC History:** The material in this part was derived from that previously filed with the Commission of Public Records-State Records Center and Archives.  
HSSD 70-1, Ambient Air Quality Standards And Air Quality Control Regulations, 01/27/70.

**History of Repealed Material:** [RESERVED]

**Other History:**

HSSD 70-1, Ambient Air Quality Standards And Air Quality Control Regulations, (relating to that portion numbered 901) filed 01/27/70, was **renumbered** into first version of the New Mexico Administrative Code as 20 NMAC 2.8, Emissions Leaving New Mexico, filed 10/30/95.  
20 NMAC 2.8, Emissions Leaving New Mexico, filed 10/30/95 was **renumbered, reformatted and replaced** by 20.2.8 NMAC, Emissions Leaving New Mexico, effective 10/31/02.